

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
 US Department of Commerce  
 United States Patent and Trademark  
 Office, PCT  
 2011 South Clark Place Room  
 CP2/5C24  
 Arlington, VA 22202  
 ETATS-UNIS D'AMERIQUE  
 in its capacity as elected Office

<b>Date of mailing (day/month/year)</b> 28 May 2001 (28.05.01)	
<b>International application No.</b> PCT/AU00/01072	<b>Applicant's or agent's file reference</b> 001744PC/IDJ
<b>International filing date (day/month/year)</b> 08 September 2000 (08.09.00)	<b>Priority date (day/month/year)</b> 10 September 1999 (10.09.99)
<b>Applicant</b> MCMENIMAN, Geoffrey, Michael	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
 20 March 2001 (20.03.01)

☐ in a notice effecting later election filed with the International Bureau on:  
 \_\_\_\_\_

2. The election ☒ was  
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

<b>The International Bureau of WIPO</b> 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No.: (41-22) 740.14.35	<b>Authorized officer</b>  Charlotte ENGER  Telephone No.: (41-22) 338.83.38
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(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization  
International Bureau



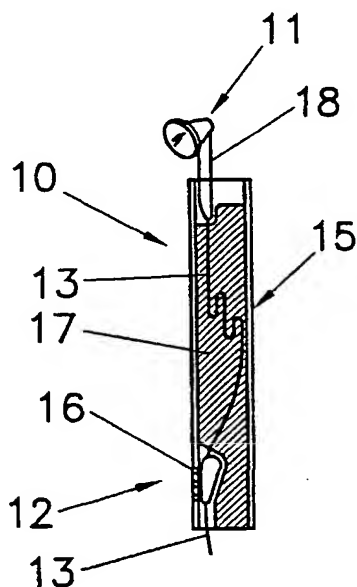
(43) International Publication Date  
22 March 2001 (22.03.2001)

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(10) International Publication Number  
**WO 01/20878 A1**

- (51) International Patent Classification<sup>7</sup>: H04M 1/04, (74) Agent: DE JONGE, Ian; Cullen & Co, Level 26, 239 George Street, Brisbane, Queensland 4000 (AU).  
H04Q 7/32, H04B 7/26
- (21) International Application Number: PCT/AU00/01072 (81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CR, CU, CZ, DE, DK, DM, DZ, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.
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- (30) Priority Data: 47529/99 10 September 1999 (10.09.1999) AU (84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).
- (71) Applicant (*for all designated States except US*): COB-FIELD PTY LTD [AU/AU]; 33 Guy Street, Warwick, Queensland 4370 (AU).
- (72) Inventor; and
- (75) Inventor/Applicant (*for US only*): MCMENIMAN, Geoffrey, Michael [AU/AU]; 33 Guy Street, Warwick, Queensland 4370 (AU).
- Published:  
— With international search report.
- For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: IMPROVEMENTS TO HANDS FREE MOBILE PHONES



(57) Abstract: A holder (10) for a hands free mobile telephone accessory of the type which has an ear piece (11) and a microphone (12) both attached to a common flexible phone line (13) and spaced apart from each other, the line (13) able to be plugged into or relative to the telephone, the holder (10) having an ear piece attachment means (EAM) and a microphone attachment means (MAM) which are spaced apart, the construction and arrangement being that the holder (10) can be held next to a persons head with the EAM being in or adjacent the persons ear, and the MAM being positioned to pick up speech, thereby doing away with the need to attach the microphone (12) to clothing and to insert the ear piece (11) every time the phone is to be used.

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# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/AU 00/01072

## A. CLASSIFICATION OF SUBJECT MATTER

Int Cl<sup>7</sup>: H04M 1/04, H04Q 7/32, H04B 7/26

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
WHOLE IPC

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched  
WHOLE IPC

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
WPAT: (MOBILE PHONE? or MOBILE TELEPHONE? or CORDLESS or CELL + PHONE? OR CELLULAR TELEPHONE? or PHS or PERSONAL HANDY PHONE?) And (HANDS FREE or HANDSFREE) And (HOLD + or SUPPORT or ATTACH + or RECEPTACLE?) And (EARPIECE or EAR PIECE or MIC+)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 2277422 A (UNIVERSAL EXCHANGE LIMITED) 26 October 1994, Page 1, line 4 - Page 14, line 18	1, 9, 10, 13
X	DE 19616867 A (CHAU PC) 6 March 1997 Page 2, line 8 - Page 5, line 47	1, 9, 10, 11, 12, 13
X	DE 29909964 U1 (WANG C) 2 September 1999 Page 1, line 1 - Page 3 line 25	1, 9, 10, 13

☒ Further documents are listed in the  
continuation of Box C

☒ See patent family annex

\* Special categories of cited documents:

"A" Document defining the general state of the art which is not considered to be of particular relevance  
"E" earlier application or patent but published on or after the international filing date  
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  
"O" document referring to an oral disclosure, use, exhibition or other means  
"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone  
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art  
"&" document member of the same patent family

Date of the actual completion of the international search  
06 November 2000

Date of mailing of the international search report  
23 NOV 2000

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# INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU 00/01072

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 95/17068 A (RILEY, Ronald D) 22 June 1995 Abstract	1-15
A	WO 95/34156 A (THE CREATIVE SOLUTIONS COMPANY, INC.) 14 December 1995 Abstract	1-15
A	US 5504812 A (VANGARDE) 2 April 1996 Abstract	1-15

International application No.  
PCT/AU 00/01072

International application No.  
PCT/AU 00/01072

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report			Patent Family Member			
GB	2277422	NONE				
DE	19616867	NONE				
DE	29909964	NONE				
WO	9517068	AU	1378895	CA	2111822	
WO	9534156	US	5613222			
US	5504812	AU	33078/95	BR	9504373	CA 2159676
		CN	1129877	FR	2725580	GB 2294177
		JP	8214050	SG	33542	

END OF ANNEX

14

**PATENT COOPERATION TREATY**  
**PCT**  
**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**  
(PCT Article 36 and Rule 70)

REC'D 11 JUL 2001  
WIPO PCT

Applicant's or agent's file reference 001744/PC/IDJ	<b>FOR FURTHER ACTION</b>	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).
International Application No. <b>PCT/AU00/01072</b>	International Filing Date ( <i>day/month/year</i> ) 8 September 2000	Priority Date ( <i>day/month/year</i> ) 10 September 1999
International Patent Classification (IPC) or national classification and IPC Int. Cl. <sup>7</sup> H04M 1/04; H04Q 7/32; H04B 7/26		
Applicant COBFIELD PTY LTD et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.  
☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheet(s).

3. This report contains indications relating to the following items:

- |      |                                     |   |
|------|-------------------------------------|---|
| I    | <input checked="" type="checkbox"/> | Basis of the report   |
| II   | <input type="checkbox"/>            | Priority  |
| III  | <input type="checkbox"/>            | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| IV   | <input type="checkbox"/>            | Lack of unity of invention  |
| V    | <input checked="" type="checkbox"/> | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| VI   | <input type="checkbox"/>            | Certain documents cited   |
| VII  | <input type="checkbox"/>            | Certain defects in the international application  |
| VIII | <input type="checkbox"/>            | Certain observations on the international application   |

Date of submission of the demand 20 March 2001	Date of completion of the report 29 June 2001
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer  <b>JUZER KHANBHAI</b> Telephone No. (02) 6283 2176

**I. Basis of the report**

1. With regard to the elements of the international application:\*
- ☐ the international application as originally filed.
- ☒ the description, pages 1-9, as originally filed,  
pages , filed with the demand,  
pages , received on with the letter of
- ☒ the claims, pages 11, as originally filed,  
pages , as amended (together with any statement) under Article 19,  
pages , filed with the demand,  
pages 10, received on 01 June 2001 with the letter of 01 June 2001
- ☒ the drawings, pages 1/8-8/8, as originally filed,  
pages , filed with the demand,  
pages , received on with the letter of
- ☐ the sequence listing part of the description:  
pages , as originally filed  
pages , filed with the demand  
pages , received on with the letter of
2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.  
These elements were available or furnished to this Authority in the following language which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, was on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished
4. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig.
5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims 1-15	YES
	Claims -	NO
Inventive step (IS)	Claims 1-15	YES
	Claims -	NO
Industrial applicability (IA)	Claims 1-15	YES
	Claims -	NO

**2. Citations and explanations (Rule 70.7)**

- GB 227742 A
- DE 19616867 A
- DE 29909964 U1

Claims 1-15: The invention defined by the claims relates to a holder for holding a hands free mobile telephone accessory of the type which has an earpiece and a microphone both attached to a common flexible phone line and spaced apart from each other, the line being able to be plugged into or relative to the telephone. The holder has an ear piece attachment means and a mouth piece attachment means which are spaced apart.

None of the above citations individually or in obvious combination discloses the features defined by the claims.



CLAIMS:

1. A holder for holding a hands free mobile telephone accessory of the type which has an ear piece and a microphone both attached to a common flexible phone line and spaced apart from each other, the line able  
5 to be plugged into or relative to the telephone, the holder having an ear piece attachment means (EAM) and a microphone attachment means (MAM) which are spaced apart, the construction and arrangement being that the holder can be held next to a persons head with the EAM being in or adjacent the persons ear, and the MAM being positioned to pick up speech, thereby doing away  
10 with the need to attach the microphone to clothing and to insert the ear piece every time the phone is to be used.
2. The holder of claim 1 which comprises a tubular member which can be split to open up into two halves with the inside of the tubular member having means to hold the ear piece and the microphone of the accessory in  
15 the tubular member.
3. The holder of claim 2, wherein the means is an insert of resilient foam material which will hold the ear piece and the microphone of the accessory in place.
4. The holder of claim 1, wherein the ear piece is attached to the  
20 holder for movement between an extended position where the earpiece can be inserted into a persons ear, and a retracted position.
5. The holder of claim 1, which comprises a substantially plate-like member which .
6. The holder of claim 5, wherein the plate-like member is provided  
25 with a plurality of spaced keyhole-type slots which accommodate excess length of the wire which is part of the accessory.
7. The holder of claim 1, which comprises an elongate substantially rectangular body made from two parts which are hinged together and which are openable up to allow the accessory to be inserted into the  
30 holder, at least one compartment inside the body to hold the microphone and holding means to hold the ear piece
8. The holder of claim 1, which is formed from two halves which